

ORRICK, HERRINGTON & SUTCLIFFE LLP  
KAREN G. JOHNSON-MCKEYAN (SBN 121570)  
kjohnson-mckewan@orrick.com  
ANNETTE L. HURST (SBN 148738)  
ahurst@orrick.com  
GABRIEL M. RAMSEY (SBN 209218)  
gramsey@orrick.com  
405 Howard Street, San Francisco, CA 94105  
Tel: 1.415.773.5700 / Fax: 1.415.773.5759  
PETER A. BICKS (*pro hac vice*)  
pbicks@orrick.com  
LISA T. SIMPSON (*pro hac vice*)  
lsimpson@orrick.com  
51 West 52<sup>nd</sup> Street, New York, NY 10019  
Tel: 1.212.506.5000 / Fax: 1.212.506.5151

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES (*pro hac vice*)  
dboies@bsflp.com  
333 Main Street, Armonk, NY 10504  
Tel: 1.914.749.8200 / Fax: 1.914.749.8300  
STEVEN C. HOLTZMAN (SBN 144177)  
sholtzman@bsflp.com  
1999 Harrison St., Ste. 900, Oakland, CA 94612  
Tel: 1.510.874.1000 / Fax: 1.510.874.1460

ORACLE CORPORATION  
DORIAN DALEY (SBN 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (SBN 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (SBN 211600)  
matthew.sarboraria@oracle.com  
RUCHIKA AGRAWAL (SBN 246058)  
ruchika.agrawal@oracle.com  
500 Oracle Parkway,  
Redwood City, CA 94065  
Tel: 650.506.5200 / Fax: 650.506.7117

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.  
Plaintiff,  
v.  
GOOGLE INC.  
Defendant.

Case No. CV 10-03561 WHA

**DECL. OF GABRIEL M. RAMSEY IN  
SUPPORT OF ORACLE'S OPP. TO  
MOT. TO PRECLUDE SUBMISSION  
OF WILLFULNESS TO JURY**

Date: September 17, 2015 at 8:00 am  
Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William H. Alsup

DECL. OF GABRIEL M. RAMSEY  
CV 10-03561 WHA

1 I, Gabriel M. Ramsey, declare and state as follows:

2 1. I am a member of the bar of the State of California, admitted to practice before this  
3 Court, and am a partner with the law firm of Orrick, Herrington & Sutcliffe LLP (“Orrick”),  
4 attorneys of record for Plaintiff Oracle America, Inc. (“Oracle”). I am familiar with the events,  
5 pleadings and discovery in this action and, if called upon as a witness, I could and would testify  
6 competently to the matters stated herein of my own personal knowledge.

7 2. I submit this declaration in support of Oracle’s Opposition to Motion to Preclude  
8 Submission of Willfulness to Jury.

9 3. Attached hereto as **Exhibit A** is a true and correct copy of Trial Exhibit 1, an  
10 internal Google presentation, marked GOOGLE-00-00001772-GOOGLE-00-00001781, dated  
11 July 26, 2005.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of Trial Exhibit 7, e-mail  
13 correspondence, marked GOOGLE-01-00019527-GOOGLE-01-00019528, dated October 11,  
14 2005.

15 5. Attached hereto as **Exhibit C** is a true and correct copy of Trial Exhibit 10, e-mail  
16 correspondence, marked GOOGLE-12-10000022, dated August 6, 2010.

17 6. Attached hereto as **Exhibit D** is a true and correct copy of Trial Exhibit 12, e-mail  
18 correspondence, marked GOOGLE-02-00077799, dated December 20, 2005.

19 7. Attached hereto as **Exhibit E** is a true and correct copy of Trial Exhibit 17, e-mail  
20 correspondence, marked GOOGLE-12-00006964, dated February 10, 2006.

21 8. Attached hereto as **Exhibit F** is a true and correct copy of Trial Exhibit 18, e-mail  
22 correspondence, marked GOOGLE-01-00018470-GOOGLE-01-00018471, dated March 24,  
23 2006.

24 9. Attached hereto as **Exhibit G** is a true and correct copy of Trial Exhibit 23, e-mail  
25 correspondence, marked GOOGLE-04-00055098-GOOGLE-04-00055099, dated August 16,  
26 2006.

27 10. Attached hereto as **Exhibit H** is a true and correct copy of Trial Exhibit 26, e-mail  
28 correspondence, marked GOOGLE-02-00052356, dated November 7, 2007.

11. Attached hereto as **Exhibit I** is a true and correct copy of Trial Exhibit 29, e-mail correspondence, marked GOOGLE-01-00035931-GOOGLE-01-00035933, dated March 24, 2008.

12. Attached hereto as **Exhibit J** is a true and correct copy of Trial Exhibit 158, e-mail correspondence with an attached presentation, marked GOOGLE-01-00025575-GOOGLE-01-00025587, dated September 28, 2006.

13. Attached hereto as **Exhibit K** is a true and correct copy of Trial Exhibit 207, e-mail correspondence, marked GOOGLE-01-00066909, dated May 10, 2007 - May 11, 2007.

14. Attached hereto as **Exhibit L** is a true and correct copy of Trial Exhibit 215, e-mail correspondence, marked GOOGLE-01-00081881, dated June 1, 2006.

15. Attached hereto as **Exhibit M** is a true and correct copy of Trial Exhibit 230, e-mail correspondence, marked GOOGLE-02-00020474- GOOGLE-02-00020475, dated August 11, 2007.

16. Attached hereto as **Exhibit N** is a true and correct copy of Trial Exhibit 233, e-mail correspondence, marked GOOGLE-02-00039715, dated August 5, 2009.

17. Attached hereto as **Exhibit O** is a true and correct copy of Trial Exhibit 405, e-mail correspondence, marked GOOGLE-27-00002479, dated May 30, 2008.

18. Attached hereto as **Exhibit P** is a true and correct copy of Trial Exhibit 1029, e-mail correspondence, marked GOOGLE-02-00038403-GOOGLE-02-00038404, dated April 29, 2009.

19. Attached hereto as **Exhibit Q** is a true and correct copy of Trial Exhibit 3215, Google Inc.'s Form 10-K for the fiscal year ended December 31, 2005.

20. Attached hereto as **Exhibit R** is a true and correct copy of an excerpt of Volume 5 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C 10-3561 WHA, dated April 20, 2012.

21. Attached hereto as **Exhibit S** is a true and correct copy of an excerpt of Volume 6 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C 10-3561 WHA, dated April 23, 2012.

1           22.     Attached hereto as **Exhibit T** is a true and correct copy of an excerpt of Volume 7  
2 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C  
3 10-3561 WHA, dated April 24, 2012.

4           23.     Attached hereto as **Exhibit U** is a true and correct copy of excerpts of Volume 10  
5 of the Transcript of Jury Trial Proceedings from *Oracle America, Inc., v. Google Inc.*, Case No. C  
6 10-3561 WHA, dated April 27, 2012.

7           24.     Attached hereto as **Exhibit V** is a true and correct copy of a document titled  
8 "Mobile Strategy Summit – Notes" produced during discovery, marked GOOGLE-23-00000049-  
9 GOOGLE-23-00000057, dated November 4-5, 2010.

10           I declare under penalty of perjury under the laws of the United States that the foregoing is  
11 true and correct.

12           Executed this 20th day of August, 2015, at San Francisco, CA.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
\_\_\_\_\_  
Gabriel M. Ramsey